

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Application No. 09/955,473

Appeal Brief No. 2009-0054

Confirmation No. 7771

Applicant: Forney et al.

Filed: September 17, 2001

TC/AU: 2174

Examiner: Ryan F. Pitaro

Docket No.: 213307

Customer No.: 23460

*Approved
JGW 5/24*

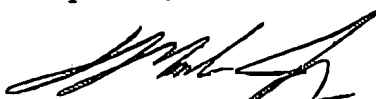
REQUEST FOR TELEPHONIC HEARING

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Hearing dated May 13, 2009 and scheduled for Thursday, June 11, 2009 at 01:00 p.m., Appellants hereby request a telephonic hearing.

Respectfully submitted,



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Date: May 21, 2009



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

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Appeal No: 2009-0054
Appellant: Paul W. Fornoy, Rashesh Mody et al.
Application No: 09/955,473
Hearing Room: A
Hearing Docket: B
Hearing Date: Thursday, June 11, 2009
Hearing Time: 01:00 PM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/web/offices/dcmi/counsel/contact_information/contact

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DATE: MAY 21, 2009

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): **3**

TIME:

YOUR REFERENCE: 09/955,473

OUR REFERENCE: 213307

TO: BOARD OF PATENT APPEALS
& INTERFERENCES

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DIRECT LINE: (312) 616-5673

MESSAGE: **APPEAL No. 2009-0054**
APPLICANT: Forney et al.1

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